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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,785	04/28/2000	Alan L. Clark	200-0505	5153

7590 03/12/2004

RANDY W TUNG  
TUNG & ASSOCIATES  
38505 WOODWARD  
SUITE 3000  
BLOOMFIELD HILLS, MI 48304

EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 03/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

***Notice of Defective Appeal Brief***

1. The brief does not contain a statement of the status of an amendment filed subsequent to the final rejection as required by 37 CFR 1.192(c)(4). The amendment after final rejection (Paper No. 8) was not entered. Applicants' appeal brief presumes that the amendment was entered. Applicants' Brief also states that "A request for reconsideration" was made but Applicant made substantive amendments to the claims. Applicants arguments with respect to the §112 rejections must be based on claims as amended on April 22, 2003 (Paper No. 5). Accordingly, claims 1-7 and 13-16 remain pending.
2. A copy of the advisory office action (Paper No. 11) and change of address/power of attorney (Paper No. 9) are also attached.
3. To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew J. Fischer whose telephone number is (703) 305-0292.
5. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olszewski Robert can be reached on (703) 308-5183. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 3627

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Andrew J. Fischer  
Examiner  
Art Unit 3627

March 10, 2004  
AJF



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,785	04/28/2000	Alan L. Clark	200-0505	5153

7590

09/25/2003

RANDY W TUNG  
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BLOOMFIELD HILLS, MI 48304

EXAMINER

FISCHER, ANDREW J

ART UNIT

PAPER NUMBER

3627

DATE MAILED: 09/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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<b>Advisory Action</b>	Application No. 09/560,785	Applicant(s) CLARK ET AL.	
	Examiner Andrew J. Fischer	Art Unit 3627	

**--Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.**  
 Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

**PERIOD FOR REPLY** [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.  
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  
**ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).**

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on \_\_\_\_\_. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  
 2. ☒ The proposed amendment(s) will not be entered because:  
     (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);  
     (b) ☐ they raise the issue of new matter (see Note below);  
     (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  
     (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: The new claim(s) would require further consideration.

3. ☐ Applicant's reply has overcome the following rejection(s): \_\_\_\_\_.  
 4. ☐ Newly proposed or amended claim(s) \_\_\_\_\_ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  
 5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: The final rejections remain.  
 6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  
 7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: \_\_\_\_\_.

Claim(s) objected to: \_\_\_\_\_.

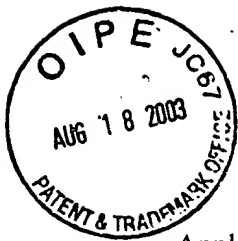
Claim(s) rejected: 1-7 and 13-16.

Claim(s) withdrawn from consideration: \_\_\_\_\_.

8. ☐ The proposed drawing correction filed on \_\_\_\_\_ is a) ☐ approved or b) ☐ disapproved by the Examiner.  
 9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_.  
 10. ☐ Other: \_\_\_\_\_

*Andrew J. Fischer 9/24/03*

Andrew J. Fischer  
 Examiner  
 Art Unit: 3627



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Clark et al                      Group Art Unit: 3627  
Serial No.: 09/560,785                      Examiner: Andrew J. Fischer  
Filed: April 28, 2000  
For: Method For Designing And Purchasing A Product  
Attorney Docket No.: 200-0505

**RECEIVED**  
AUG 22 2003  
**GROUP 3600**

APPOINTMENT OF ASSOCIATE ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.34(a), Randy W. Tung, Registration No. 31,311, principal Attorney of Record for the above-identified Applicant, hereby appoints

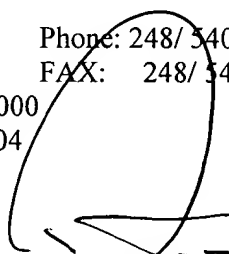
Tanya L. Garrett, Reg. No. 47588

as Associate Attorney, with full power to transact all business in connection with the above-identified application.

Send all future correspondence to:

Randy W. Tung                      Phone: 248/ 540 - 4040  
Tung & Associates                      FAX: 248/ 540-4035  
38505 Woodward, Suite 3000  
Bloomfield Hills, MI 48304

Dated:

  
\_\_\_\_\_  
Randy W. Tung, Reg. No. 31,311